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Canon Law and the extent of its influence and jurisdiction throughout Europe are dwelt upon at some length ; and the law established in Roman territory by the barbarian invaders, perpetuating so much of the law of the conquered people, is discussed. The subject of Part III. is The Beginnings of Modern Jurisprudence. Under this heading are considered the renewed study of Roman law beginning with the revival of intellectual activity after the Dark Ages in the twelfth century, and the reception of Roman law in Italy, Germany, France, Spain, and Scotland. Lastly the author discusses the early English law, considering its history and the sources and development of its modern ideas. This subject is carried down to the time of Bracton, who was among the first lawyers to insist upon a reliance upon precedents, and thus practically established our present system of case law.

The book gives, on the whole, an excellent view of the origin and growth of legal principles and of the science of jurisprudence from the earliest appearance of legal thought down to the point where the average law student begins his study. In our desire to fit ourselves as soon as possible for active practice, we in America are very apt to neglect the historical side of the law, and are willing to begin where our modern principles and ideas began, without taking the time to investigate the foundation upon which those principles rest, and to compare our ideas with the ideas which have by gradual growth become established in other countries. A well-rounded lawyer will have some knowledge of the historical basis of his own law and of the jurisprudence of other countries, and this knowledge will be of value to him in understanding the principles he employs in practice. There are few books which will in so short a space furnish such an excellent general view of these subjects as does this work of Mr. Lee, and which will impress upon the student so thoroughly that the legal principles he investigates were not made on the spur of the moment, but are the result of a long process of development.

L. P. M.

ELEMENTS OF AMERICAN JURISPRUDENCE. By William C. Robinson, LL. D. Boston : Little, Brown & Co. 1900. pp. lviii, 401.

This is a companion volume and introduction to Mr. Robinson's excellent treatise on Elementary Law, and will prove of distinct value to all entering upon the study of law. The method is pursued that was found so satisfactory in the author's Elementary Law,—to each paragraph of text numerous authorities are appended where the student may find a more extended treatment of the subject. Mr. Robinson's discussion is sufficient to enable the student intelligently to approach these references.

The author very largely follows Holland in his discussion of the nature of law and in his classification of rights, but devotes more attention to the subject of "duties." An excellent chapter treats of the forms of law—the origin and growth of the unwritten and the written law. The nature and origin of courts is also discussed at length. A subsequent chapter deals with Fictions and Presumptions. As to the latter the author makes the seemingly unsound and certainly useless distinction between presumption of fact and of law. A section is also devoted to Conflicting Presumptions. However valid this latter class may be in continental systems of law, where "arithmetic is substituted for observation in estimating the value of evidence," it is entirely inapplicable to the common sense meth-

ods of the Common Law. In outlining his topic the author states that "American Jurisprudence is a special science treating of the laws of the United States." It would seem quite as proper to speak of the special science treating of the rocks of Mexico. There is no difference in kind that marks off the common law as applied in the United States from the common law as applied in England, Canada, or Australia. In truth, jurisprudence is the science that underlies all systems of law, and to speak of the particular jurisprudence of a certain country as writers often do, is a misapplication of a term with a well established and definite meaning, to express an idea equally well expressed by another term, viz., law, merely because the longer word is thought to sound better. This comment is further borne out by the author's treatment of his subject. The space devoted to the principles underlying the law is brief compared to that given up to the actual law administered. It is well for the author's avowed purpose that this is so, for one could scarcely regard an extended study of jurisprudence, using the term in its proper sense, as preparatory to a study of elementary law.

F. R. T.

DER GESETZLICHE SCHUTZ DER BAUGLÄUBIGER IN DEN VEREINIGTEN STAATEN VON NORD-AMERIKA. Ein Beitrag zu den Entwürfen eines Reichsgesetzes betreffend die Sicherung der Bauforderungen und eines Preussischen Ausführungsgesetzes. Von Dr. Georg Salomonsohn. Berlin: Carl Heymanns Verlag. 1900. pp. xv, 493.

This German work on the mechanics' lien laws of the United States cannot help but prove as valuable to German readers as it is interesting and instructive from the American standpoint. Its object is to present an outline of American legislation and its effect on economic conditions, so as to enable Germany in the solution of its problems to profit by our experience. To show that this is possible on account of the similarity of conditions in the two countries, the author discusses in the first part of the book the economic relations and the legal rights in America, irrespective of statutory protection, of those persons contributing to the improvement of real estate. He then in the second part gives a comprehensive view of American legislation as interpreted by decided cases, followed by a translation and explanation of the lien laws of the State of New York. Part III. is taken up in showing the effect of the lien laws on the building industry of the United States and in summing up the principles brought out in the development of American law, which the author thinks should be applied in German legislation.

The systematic exposition of the American law is naturally the most interesting portion of the work from our point of view. It covers the subject completely, and shows a careful study by the author of the details of our system. The notes contain numerous citations of cases and statutes, while incorporated into the text we find many quotations from American cases, well selected and ably translated. The discussion of the rights of sub-contractors is especially good. The distinction between the Pennsylvania system giving the sub-contractor a direct lien and the New York system working out his rights by subrogation to the contractor's lien is clearly brought out, though more space might perhaps have been devoted to the discussion of the comparative merits of the two systems. Moreover, the author points out a distinction, which is not gener-